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11-CV-00250-ORD

06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 KENNETH R. ALSTON,

)

10 Petitioner,

) CASE NO. C11-0250-TSZ

11 v.

) ORDER DENYING PETITION FOR
12 JEFFERY A. UTTECHT,
13 Respondent.) WRIT OF HABEAS CORPUS

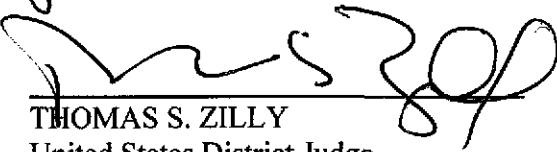
14 The Court, having reviewed petitioner's petition for writ of habeas corpus, the Report
15 and Recommendation of Mary Alice Theiler, United States Magistrate Judge, and the
16 remaining record, does hereby find and ORDER:
*jacket no. 7,
docket no. 19, to which no
objections have
been filed,*

17 (1) The Court adopts the Report and Recommendation;
18 (2) Petitioner's petition for writ of habeas corpus (Dkt. No. 7) is DENIED and this
19 action is DISMISSED with prejudice;
20 (3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the
21 United States District Courts, a certificate of appealability is DENIED with respect to the two
22 claims asserted by petitioner in his federal habeas petition; and

ORDER DISMISSING PETITION FOR
WRIT OF HABEAS CORPUS
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01 (4) The Clerk shall send copies of this Order to petitioner, to counsel for respondent,
02 and to Judge Theiler.

03 DATED this 16 day of August, 2011.

04 
05 THOMAS S. ZILLY
06 United States District Judge